

AMENDED IN ASSEMBLY APRIL 25, 2006

AMENDED IN ASSEMBLY MARCH 27, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 2509

Introduced by Assembly Member Daucher
(Coauthor: Assembly Member Berg)

February 23, 2006

An act to add Section 120392.9 to the Health and Safety Code, relating to immunizations.

LEGISLATIVE COUNSEL'S DIGEST

AB 2509, as amended, Daucher. Immunizations.

Under existing law, the State Department of Health Services is responsible for the licensure and regulation of health facilities, including general acute care hospitals, as defined.

Under existing law, the department also has responsibilities relating to the prevention and control of communicable diseases by various means, including requiring immunization by vaccine for various populations.

Existing law requires a skilled nursing facility, an intermediate care facility, or a nursing facility, as defined, to offer immunizations for influenza and pneumococcal disease to its residents, aged 65 years or older, between October 1 and April 1 of each year, and to offer pneumococcal vaccine to all new admittees. The facility is required to be reimbursed the standard Medi-Cal rate for vaccines provided to Medi-Cal recipients, except under specified circumstances. Existing law requires the facility to obtain informed consent for the immunization services from the resident or, if the person lacks the

capacity to make medical decisions, for the person legally authorized to make medical decisions on the resident's behalf.

This bill would require a general acute care hospital, pursuant to its own standardized procedures and ~~subject to its ability to obtain the vaccine if it has the vaccine in its possession~~, to offer, prior to discharge, immunizations for influenza and pneumococcal disease to its inpatients, aged 65 years or older.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 120392.9 is added to the Health and
2 Safety Code, to read:
3 120392.9. Pursuant to its standardized procedures and if it is
4 ~~able to obtain the vaccine~~ *has the vaccine in its possession*, a
5 general acute care hospital, as defined in subdivision (a) of
6 Section 1250, shall offer, prior to discharge, immunizations for
7 influenza and pneumococcal disease to inpatients, aged 65 years
8 or older, based upon the latest recommendation of the Advisory
9 Committee on Immunization Practices of the federal Centers for
10 Disease Control and Prevention, and the latest recommendations
11 of appropriate entities for the prevention, detection, and control
12 of influenza outbreaks in California general acute care ~~facilities~~
13 *hospitals*.